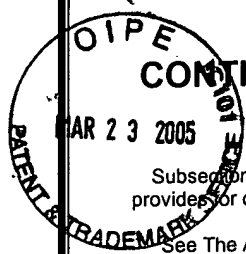


03-24-05

Accepted
3754
JW



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/973,256
Filing Date	October 9, 2001
First Named Inventor	KIS ET AL.
Group Art unit	3754
Examiner Name	Nicolas, Frederick C
Attorney Docket Number	OP/4-30969A

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. **NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other Post card.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0134
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. ☐ Other _____
- b. ☐ Check in the amount of \$_____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Susan Hess	Registration No. (Attorney/Agent)	Reg. No. 37,350
Signature	<i>Susan Hess</i>	Date	March 23, 2005

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10
EV 48502287845 Express Mail Label Number March 23, 2005 Date of Deposit



FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10	
<u>EV48322875US</u>	<u>March 23, 2005</u>
Express Mail Label Number	Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 3754

KIS ET AL.

Examiner: Nicolas, Frederick C

APPLICATION NO: 09/973,256

FILED: OCTOBER 9, 2001

FOR: PACKAGE FOR A PHARMACEUTICAL PRODUCT AND METHOD
OF STERILIZING THE PACKAGE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Submission Under 37 C.F.R. §1.114

Sir:

Applicants respectfully request that the present amendments be entered and considered under the provisions of 37 C.F.R. §1.114, rendering the Office Action of August 6, 2004, non-final in nature. Please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on Page 2 of this paper.

Remarks/Arguments begin on Page 4 of this paper.